

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
EASTERN DIVISION

VFS LEASING CO.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIVIL ACTION NO. 3:06cv638-SRW
	)	
G. F. KELLY, INC. d/b/a	)	
KELLY TRUCKING; and GUY KELLY,	)	
	)	
Defendants.	)	

**ORDER**

In the scheduling order entered on this date, the parties have been given a deadline for filing dispositive motions. Any motion for summary judgment is due on or before that deadline. The schedule for submissions in support of and opposition to the motion will proceed as set out in this Order. **Absent a showing of good cause, the dispositive motion deadline and the briefing deadlines will not be extended.** The Uniform Scheduling Order provides ample time for discovery, and the court generally does not consider failure to conduct needed discovery or the schedules of counsel to be good cause for extending the dispositive motion deadline or briefing schedule. Counsel are advised to plan accordingly.

It is ORDERED that:

1. The moving party shall file its brief and evidentiary submission simultaneously with the motion for summary judgment.
2. The opponent's brief and responsive submission shall be filed not later than 21

days thereafter.

3. The movant's reply brief shall be filed not later than 11 calendar days after the date on which the opponent's responsive submission was due. The movant may not include any new evidentiary material with the reply brief without prior leave of court.

4. Briefs must contain a statement of facts including specific references to the record. The court will not consider documents or parts of documents that have not been specifically cited by page number.

Upon conclusion of the submission schedule, the court will take the motion under submission without oral argument. If the court determines that oral argument is necessary, it will set a hearing date.

DONE, this 3<sup>rd</sup> day of November, 2006.

/s/ Susan Russ Walker  
SUSAN RUSS WALKER  
UNITED STATES MAGISTRATE JUDGE